

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for the Popular Election of the Attorney General

Constitutional amendment. Resolved: Two thirds of each branch of the Legislature concurring, that the following amendment to the Constitution of Maine be proposed:

Constitution, Art. IX, §11 is amended to read:

Section 11. Attorney General. The Attorney General shall be chosen biennially by ~~joint ballot~~ popular election on the same date and in the same manner as provided by this Constitution for the election of the Senators and Representatives in convention. Vacancy in said ~~that~~ office occurring when the Legislature is not in session, may ~~must~~ be filled by appointment by the Governor, subject to confirmation as required by this Constitution for Justices of the Supreme Judicial Court.

; and be it further

Constitutional referendum procedure; form of question; effective date.

Resolved: That the municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, at a statewide election held in the month of November following the passage of this resolution, to vote upon the ratification of the amendment proposed in this resolution by voting upon the following question:

"Do you favor amending the Constitution of Maine to provide that, beginning in 2010, the Attorney General be elected by the people biennially in the same manner as members of the Senate and the House of Representatives?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within the corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If it appears that a majority of the legal votes are cast in favor of the amendment, the Governor shall proclaim that fact without delay and the amendment becomes part of the Constitution of Maine on the date of the proclamation; and be it further

Secretary of State shall prepare ballots. Resolved: That the Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this resolution necessary to carry out the purposes of this referendum.

SUMMARY

This resolution proposes to amend the Constitution of Maine to provide for popular election of the Attorney General in the manner currently provided for the members of the Senate and the House of Representatives, beginning in 2010.